



M E M O R A N D U M

To: Diana Barry, Cluster Manager
Marysville and Oroville
Workforce Service Offices 0820 and 0823
Date: May 20, 2010
File No.: 74:em:1424

From: Ernesto Magaña
Employment Development Department

Subject: **MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW
PROGRAM YEAR 2009-2010
MARYSVILLE AND OROVILLE WORKFORCE SERVICE OFFICES
FINAL MONITORING REPORT**

This Final Monitoring Report summarizes the results of the California Monitor Advocate Office's (MAO) Migrant and Seasonal Farmworkers (MSFW) on-site annual review of the Marysville and Oroville Workforce Service (WS) offices. Rosemary Avila, Associate Monitor Advocate, conducted this annual review on April 12-15, 2010. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFW.

The MAO conducted this annual on-site review under the authority of all related federal regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and the Employment Development Department (EDD) Job Service (JS) policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of services provided by EDD to MSFW.

We collected information for this report by examining the Marysville and Oroville WS offices' provision of services, job information sharing, job application taking process, outreach program operation, data collection, agricultural clearance order activity, and JS complaint system. Additionally, we interviewed the Marysville and Oroville WS offices' management and staff.

We received your response to our Draft Report dated May 13, 2010. Our annual monitoring review revealed the following observation:

Observation 1: **Job Development Contacts (JDC) and Referral to Supportive Services**

During the MAO pre-site analysis, we noted that the Marysville and Oroville WS offices did not meet the Job Development Contacts (JDC) and referral to supportive services equity indicators in the July 2009 through March 2010 Indicators of Compliance (IOC) Report.

Citation: 20 CFR 653.101, CFR 653.108 (h) (5), and JS Policy and Procedures Manual Chapter 33

Recommendation The MAO recommended that JDC and referrals to supportive services are made to MSFW to ensure equity of services and that these actions are properly documented.

Response: The Marysville and Oroville JS offices responded that "due to a call from the MAO, they put in about ten (10) services for referral to jobs as well as referrals to CHDC for training. Only a couple showed up in the Yuba-Sutter area and none in the Butte and Glenn County area despite records and copies of the Program Activity Support System (PASS) provided to the MAO." The response also stated that the "issue with records being accurately reported in CalJOBS is not new it has been an ongoing problems for at least ten (10) years that I am aware of."

Discussion: The MAO reviewed PASS notes provided by the Marysville and Oroville offices for seven MSFW. Our review of the PASS notes indicated that the PASS notes for two MSFW (Clara Melchor de Avila and Berta de la Rosa) were dated in April 2010 or outside of the period tested for our analysis. Also, we noted that the other PASS notes for the remaining five MSFW (Maria J Almanza, Ricardo Becerra-Hernandez, Efren Oregel-Sandoval, Leticia Serna, and Martin Zamora) did not include evidence to support either a JDC or a referral to supportive services.

The EDD JS Policy and Procedures Manual reaffirms EDD's commitment to providing equitable services to MSFW such as a JDC and referrals to supportive services. Since agricultural workers are considered a special targeted group,

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Discussion (cont.)

JDC and referrals to supportive services are to be made for MSFW and properly documented.

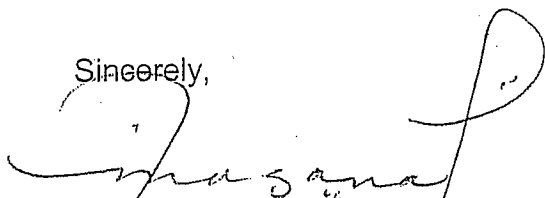
The MAO acknowledges that EDD field offices are experiencing challenges with IOC report. However, all EDD JS reports, for compliance with federal mandated requirements, are produced by WSB staff and derived from different WSB-managed databases. If there are discrepancies in data contained in different JS reports, WSB should make every effort to ensure the validity of the reports so that the data collected can be verified by USDOL and the MAO.

The MAO has oversight responsibility for the IOC report. Therefore, MAO staff use the IOC report as part of MAO annual programmatic review of designated WS offices. We note that in the past several MAO reviews, we have used the IOC report and that Marysville and Oroville WS offices were in full compliance in this area.

The reporting of data contained in the IOC report is mandated by USDOL and supported by EDD policy. The MAO supports the discussion of this issue and is committed to continue working with WSB staff and management to arrive at a reasonable solution. The MAO will continue to work collaboratively with WSB to ensure that this is accomplished.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact me at (916) 651-9456.

Sincerely,



ERNESTO MAGANA, Chief
Monitor Advocate Office

cc: Diane Ferrari
Jose Luis Marquez
Terri Thompson